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**U.S. District Court  
SOUTHERN DISTRICT OF TEXAS (Houston)  
CIVIL DOCKET FOR CASE #: 4:09-cv-02534**

Pruitt v. Dept of the Army  
Assigned to: Judge Melinda Harmon  
Related Case: [4:09-mc-00213](#)

Date Filed: 08/05/2009  
Date Terminated: 03/24/2011  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

Cause: 05:552 Freedom of Information Act

**Plaintiff**

**Harry C. Pruitt**

represented by **Harry C. Pruitt**  
34 Cypress Bayou Court  
The Woodlands, TX 77382  
832-250-9614  
Email: [harrypruitt@sbcglobal.net](mailto:harrypruitt@sbcglobal.net)  
PRO SE

V.

**Defendant**

**Dept of the Army**  
*Freedom of Information and Privacy Act  
Office*

represented by **Samuel G Longoria**  
US Attorneys Office  
P O Box 61129  
Houston, TX 77208-1129  
713-567-9514  
Fax: 713-718-3303  
Email: [sam.longoria@usdoj.gov](mailto:sam.longoria@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

| Date Filed | #                        | Docket Text  |
|------------|--------------------------|--|
| 08/05/2009 | <a href="#"><u>1</u></a> | COMPLAINT against Dept of the Army (IFP granted by Judge M. Harmon) filed by Harry C. Pruitt.(mmapps, ) (Entered: 08/10/2009)  |
| 08/10/2009 | <a href="#"><u>2</u></a> | ORDER for Initial Pretrial and Scheduling Conference and Order to Disclose Interested Persons. Initial Conference set for 12/15/2009 at 10:00 AM in Courtroom 704 before Magistrate Judge Frances H Stacy.(Signed by Judge Melinda Harmon) Parties notified.(mmapps, ) (Entered: 08/10/2009)   |
| 12/15/2009 |                          | Minute Entry for proceedings held before Magistrate Judge Frances H Stacy. SCHEDULING CONFERENCE held on 12/15/2009; no one appeared; plaintiff has 60 days to obtain counsel; case to be reset; plaintiff mailed a list of attorneys to contact about representation. Appearances:(Court Reporter: ERO)(Digital # 10:16 - 10:17)(ERO:K Strouse), filed.(bwhite, ) (Entered: 12/15/2009) |
| 12/15/2009 | <a href="#"><u>3</u></a> | ORDER resetting Rule 16 conference.(Signed by Magistrate Judge Frances H Stacy) Parties notified.(bwhite, ) (Entered: 12/15/2009)  |
| 12/15/2009 | <a href="#"><u>4</u></a> | NOTICE of Setting. Parties notified. Initial Conference set for 4/8/2010 at 10:00 AM before Magistrate Judge Frances H Stacy, filed. (bwhite, ) (Entered: 12/15/2009)  |
| 02/04/2010 | <a href="#"><u>5</u></a> | NOTICE of Resetting. Parties notified. Initial Conference set for 4/7/2010 at 10:00 AM in Courtroom 704 before Magistrate Judge Frances H Stacy, filed. (bwhite, ) (Entered: 02/04/2010)   |
| 03/09/2010 | <a href="#"><u>6</u></a> | NOTICE of Resetting. Parties notified. Initial Conference set for 4/21/2010 at 10:00 AM in Courtroom 704 before Magistrate Judge Frances H Stacy, filed. (bwhite, ) (Entered: 03/09/2010)  |
| 04/21/2010 |                          | Minute Entry for proceedings held before Magistrate Judge Frances H Stacy. SCHEDULING CONFERENCE held on 4/21/2010; conference to be reset; deadline for obtaining counsel is 4/30/2010. Appearances: Harry Pruitt(Court Reporter: ERO) (Digital # 10:23 - 10:27)(ERO:E spencer), filed.(bwhite, ) Modified on 4/22/2010 (bwhite, ). (Entered: 04/21/2010)                               |
| 04/21/2010 | <a href="#"><u>7</u></a> | NOTICE of Setting. Parties notified. Initial Conference set for 9/8/2010 at 10:00 AM in Courtroom 704 before Magistrate Judge Frances H Stacy, filed. (bwhite, ) (Entered: 04/21/2010)   |
| 04/26/2010 | <a href="#"><u>8</u></a> | ORDER that the plaintiff has until 4/30/2010 to obtain counsel; 5/15/2010 is the deadline to effect service.(Signed by Magistrate Judge Frances H Stacy) Parties notified.(bwhite, ) (Entered: 04/26/2010)   |

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| 05/12/2010 |  | Summons Issued as to Dept of the Army, filed.(kettac, ) (Entered: 05/12/2010)  |
| 05/12/2010 | <a href="#">9</a>                      | Proof of Service advising the summons for the Dept of the Army was sent by Certified Mail Return Receipt 5/12/2010., filed.(jday, ) (Entered: 05/12/2010)  |
| 09/08/2010 |  | Minute Entry for proceedings held before Magistrate Judge Frances H Stacy. SCHEDULING CONFERENCE held on 9/8/2010 ; conference to be reset. Appearances:Harry Pruitt pro se.(Court Reporter: ERO)(Digital # 10:20 - 10:28) (ERO:E Spencer), filed.(bwhite, ) (Entered: 09/13/2010) |
| 09/14/2010 | <a href="#">1</a><br><a href="#">0</a> | ORDER that the USM shall serve the defendant the Department of the Army on behalf of the plaintiff ( USM provide a form 285 and a copy of the complaint to effect service ).(Signed by Magistrate Judge Frances H Stacy) Parties notified.(bwhite, ) (Entered: 09/14/2010)         |
| 09/16/2010 | <a href="#">1</a><br><a href="#">1</a> | NOTICE of Setting. Parties notified. Initial Conference set for 1/11/2011 at 10:00 AM in Courtroom 704 before Magistrate Judge Frances H Stacy, filed. (bwhite, ) (Entered: 09/16/2010)  |
| 09/22/2010 | <a href="#">1</a><br><a href="#">2</a> | NOTICE of Resetting. Parties notified. Initial Conference set for 1/12/2011 at 10:00 AM in Courtroom 704 before Magistrate Judge Frances H Stacy, filed. (bwhite, ) (Entered: 09/22/2010)  |
| 10/12/2010 | <a href="#">1</a><br><a href="#">3</a> | RETURN of Service of SUMMONS Executed as to Dept of the Army served on 9/21/2010, answer due 11/22/2010, filed.(kgilyard, ) (Additional attachment(s) added on 10/14/2010: # <a href="#">1</a> Certified Mail Receipt) (kgilyard, ). (Entered: 10/14/2010)                         |
| 01/12/2011 |  | Minute Entry for proceedings held before Magistrate Judge Frances H Stacy. SCHEDULING CONFERENCE held on 1/12/2011. Appearances:None for pltf, None for deft.(Digital # 10:10 - 10::12)(ERO:D Clark), filed.(bwhite, ) (Entered: 01/12/2011)                                       |
| 01/12/2011 | <a href="#">1</a><br><a href="#">4</a> | NOTICE of Setting. Parties notified. Initial Conference set for 5/5/2011 at 10:00 AM in Courtroom 704 before Magistrate Judge Frances H Stacy, filed. (bwhite, ) (Entered: 01/12/2011)   |
| 01/25/2011 | <a href="#">1</a><br><a href="#">5</a> | RETURN of Service of SUMMONS Executed as to Dept of the Army served on 1/21/2011, answer due 3/22/2011, filed.(jhancock) (Entered: 01/26/2011)   |
| 02/01/2011 | <a href="#">1</a><br><a href="#">6</a> | RETURN of Service of SUMMONS Executed as to Dept of the Army served on 1/26/2011, answer due 3/28/2011, filed.(rosaldana) (Entered: 02/03/2011)  |
| 02/14/2011 | <a href="#">1</a><br><a href="#">7</a> | RETURN of Service as to John McHugh, Secretary of the Army, filed.(jhancock) (Entered: 02/14/2011)   |

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| 02/18/2011 | <a href="#"><u>1</u></a><br><a href="#"><u>8</u></a> | MOTION to Dismiss by Dept of the Army, filed. Motion Docket Date 3/11/2011. (Longoria, Samuel) (Entered: 02/18/2011)   |
| 03/24/2011 | <a href="#"><u>1</u></a><br><a href="#"><u>9</u></a> | OPINION AND ORDER OF DISMISSAL granting <a href="#"><u>18</u></a> Motion to Dismiss. Defendants' motion to dismiss is GRANTED without prejudice. Case terminated on March 24, 2011.(Signed by Judge Melinda Harmon) Parties notified.(htippen, ) (Entered: 03/24/2011) |

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